

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTHONY SPRUILL,	:	
Petitioner,	:	1:19-cv-1845
	:	
v.	:	Hon. John E. Jones III
	:	
WARDEN, FPCC,	:	
Respondent.	:	

ORDER

January 28, 2020

NOW THEREFORE, upon consideration of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Doc. 1), in which Petitioner, a federal inmate in the custody of the Federal Bureau of Prisons (“BOP”), incarcerated at the United States Penitentiary at Canaan, Waymart, Pennsylvania, seeks early release to home confinement as an elderly prisoner under the First Step Act, Pub. L. No. 115-391, § 603, 132 Stat. 5194, 5238 (2018), and it appearing that to be eligible for release, elderly offenders must, *inter alia*, be at least 60 years of age and have served two-thirds of their original sentence, 34 U.S.C. § 60541(g)(5)(A), and it further appearing that Petitioner is presently ineligible for early release because he has not yet served two-thirds of his sentence, 34 U.S.C. § 60541(g)(5)(A)(ii)¹, it is hereby ORDERED that:

¹ According to the Public Information Inmate Data, as of January 9, 2020, Petitioner had served 58.7% of his full-term sentence of forty-eight months imposed by the United States District Court for the District of New Jersey in case number 1:12-cr-00515-NLH. (Doc. 1-1’ Doc. 13-1, p. 8).

1. The petition is DISMISSED.
2. The dismissal is without prejudice to Petitioner's right to file a new petition if, at the appropriate time, he is deemed ineligible for early release and he has fully exhausted the BOP's administrative remedy procedure.
3. The Clerk of Court is directed to CLOSE this case.

s/ John E. Jones III

John E. Jones III

United States District Judge